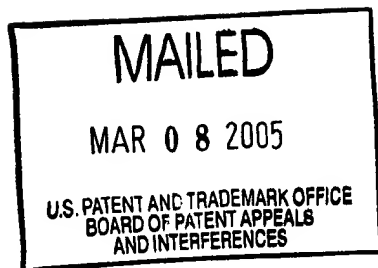


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte NOBUAKI HASHIMOTO

Application 09/615,503

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 5, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

Information Disclosure Statements (IDSs) were filed on January 19, 2005, February 22, 2005 and February 25, 2005. It is

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not apparent from the record whether the examiner considered the statements submitted or notified appellant of why his submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying appellant of the Primary Examiner's decision is required.

In addition, a review of the application indicates that the Information Disclosure Statement filed February 25, 2005 included a check for \$180.00 in payment of the fee under 37 CFR § 1.17(p). The Patent and Trademark Office records reflect that the check was inadvertently applied to Application Serial No. 09/615,403 instead of 09/615,503.

Finally, an IDS was filed on October 31, 2001. However, the attached PTO-1449 appears to be missing from the Image File Wrapper (IFW). A copy of this paper needs to be placed in the IFW.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1. for consideration of the IDSs filed January 19, 2005, February 22, 2005 and February 25, 2005, and appropriate

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notification to appellant regarding the Primary Examiner's decision;

2. for applying the \$180.00 IDS fee to Application Serial No. 09/615,503 instead of 09/615,403;

3. for scanning the PTO-1449 filed October 31, 2001 into the IFW and, if appropriate, for consideration of same;

4. for notification to appellant regarding the action taken; and

5. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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ds/psb/ts